

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Gregory W. Monteiro

Cr.: 05-00137-001

Name of Sentencing Judicial Officer: The Honorable Jose L. Linares, U.S. District Judge

Date of Original Sentence: 06/14/05

Original Offense: Theft of Government Funds

Original Sentence: Two years probation; \$34,341.97 restitution; \$100 special assessment. Six months home confinement, financial disclosure, no new debt, and the collection of DNA.

Type of Supervision: Probation

Date Supervision Commenced: 06/14/05

PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

- 1) The defendant shall complete 50 hours of community service with the specific work placement to be approved by the U.S. Probation Office.
- 2) The defendant shall refrain from the use of alcohol and shall submit to testing to ensure compliance. It is further ordered that the defendant submit to evaluation and treatment as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

CAUSE

On September 13, 2006, Monteiro was arrested by the New Jersey State Police (Totowa Headquarters) and issued a motor vehicle summons charging him with careless driving and driving under the influence of alcohol. When arrested, Monteiro was administered a breathalyzer test that revealed a .21% Blood Alcohol Content or "BAC." He failed numerous field sobriety tests. On October 10, 2006, Monteiro reported to the Probation Office under the influence of alcohol.

On October 10, 2006, during an office visit, Monteiro admitted a dependency to alcohol and expressed a need for treatment.

Respectfully submitted,

By: Joseph Empirio
U.S. Probation Officer

Date: 10/30/06

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ No Action
☐ Other

Signature of Judicial Officer

11-13-06
Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall refrain from the use of alcohol and shall submit to testing to ensure compliance. It is further ordered that the defendant submit to evaluation and treatment as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

The defendant shall contribute 50 hours of community service work over a period of six months or less, from the date this form is signed. Such service shall be without compensation, with the specific work placement to be approved by the U.S. Probation Office.

Witness:

Joseph Empirio 10/17/06
U.S. Probation Officer
Joseph Empirio

Signed:

Gregory W. Monteiro
Probationer or Supervised Releasee
Gregory W. Monteiro

10-17-06
DATE